

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: STEVEN I. LOCKE
U.S. MAGISTRATE JUDGE

DATE: 2/10/25
TIME: 11:30 am

CASE: CV 23-2084(GRB) SiteOne Landscaping v. Giordano et al

TYPE OF CONFERENCE: MOTION FTR: 11:38-12:36; 1:49-1:55

APPEARANCES:

For Plaintiff: John Gibbs, Dan Gorman and Kevin Mulry

For Defendant: Michael Mule, Joseph Labuda and Ken Novikoff

THE FOLLOWING RULINGS WERE MADE:

- ☐ Scheduling Order entered.
- ☐ The court has adopted and So Ordered the joint proposed scheduling order [] submitted by the parties.
- ☒ Other: Motion hearing held. Plaintiff's motion to compel, DE [185], is granted in part and denied in part as follows: (1) No later than March 14, 2025, Plaintiff will conduct document/discovery-retention depositions of Defendants at mutually agreeable times and places; and (2) as to forensic discovery, the examination will be of Vic's and Don's smart phones (whatever remains in Don's possession at this point given the colloquy on the record) and Don's phone hard drive for the relevant time period—Nick's devices will not be searched. This discovery will be at Plaintiff's expense. The motion is denied in all other respects.

As to Defendants' motion to compel, DE [189], the motion is withdrawn without based on the progress made in Court concerning further discovery.

The parties will file a joint status report in the form of a letter on February 28, 2025 including a statement of what issues still need to be resolved by the Court and a proposed briefing schedule for any related motion(s).

SO ORDERED

/s/Steven I. Locke
STEVEN I. LOCKE
United States Magistrate Judge